

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1540

Introduced by Senator Margett

February 19, 2004

An act to amend Section ~~1250.8~~ 1255.1 of the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1540, as amended, Margett. ~~Health facilities—Hospitals: reduction or elimination of emergency medical services: notice.~~

Existing law, with certain exceptions, requires a hospital that plans to reduce or eliminate emergency medical services to notify various entities at least 90 days before it takes that action. Violation of the laws relating to health facilities is a crime.

This bill would, in addition, require the hospital to notify all local emergency medical services agencies within the region served by the hospital. By changing the definition of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law provides for the licensure and regulation by the State Department of Health Services of health facilities, including general acute care hospitals. Existing law authorizes the department to issue a consolidated license to any general acute care hospital that includes more than one physical plant maintained and operated on separate~~

~~premises or has multiple licenses for a single health facility on the same premises if the hospital meets applicable licensing requirements and established criteria.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

~~SECTION 1. Section 1250.8 of the Health and Safety Code~~

~~SECTION 1. Section 1255.1 of the Health and Safety Code is amended to read:~~

1255.1. (a) Any hospital that provides emergency medical services under Section 1255 shall, as soon as possible, but not later than 90 days prior to a planned reduction or elimination of the level of emergency medical services, provide notice of the intended change to the state department, the local government entity in charge of the provision of health services, *all local emergency medical services agencies within the region served by the hospital*, and all health care service plans or other entities under contract with the hospital to provide services to enrollees of the plan or other entity.

(b) In addition to the notice required by subdivision (a), the hospital shall, within the time limits specified in subdivision (a), provide public notice of the intended change in a manner that is likely to reach a significant number of residents of the community serviced by that facility.

(c) A hospital shall not be subject to this section or Section 1255.2 if the state department does either of the following:

(1) Determines that the use of resources to keep the emergency center open substantially threatens the stability of the hospital as a whole.

(2) Cites the emergency center for unsafe staffing practices.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of

1 the Government Code, or changes the definition of a crime within
2 the meaning of Section 6 of Article XIII B of the California
3 Constitution.

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6 **All matter omitted in this version of the**
7 **bill appears in the bill as introduced in the**
8 **Senate, February 19, 2004. (JR 11)**
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